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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/986,096	11/07/2001	Yoshihiro Takahashi	2000-P342686	4943

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EXAMINER

SUMMONS, BARBARA

ART UNIT PAPER NUMBER

2817

DATE MAILED: 07/23/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/986,096

Applicant(s)

TAKAHASHI ET AL.

Examiner

Barbara Summons

Art Unit

2817

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 April 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-9, 11-28, 31 and 32 is/are allowed.
- 6) ☒ Claim(s) 10, 29 and 30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 30 April 2003 is: a) ☒ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Drawings

1. The proposed drawing corrections, filed on 4/30/03 have been approved. A proper drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The correction to the drawings will not be held in abeyance.

Claim Objections

2. Claim 30 is objected to because of the following informalities:

Claim 30, on line 3, note that "said central rectangular recess" should be a central rectangular recess— because there is no antecedent basis for "said central rectangular recess in the claim. Has claim 10 been amended incorrectly? See also the response to arguments in paragraph 8 below. Appropriate correction is required.

Withdrawn Claim Rejections - 35 USC §§ 102 and 103

3. Applicant's amendment and arguments received 4/30/03 have overcome all of the previous rejections, which are now withdrawn.

New Grounds of Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 10, 29 and 30 are rejected under 35 U.S.C. § 102(e) as being anticipated by Taniguchi et al. U.S. 6,150,904.

Fig. 7 of Taniguchi et al. discloses a package for accommodating a surface acoustic wave (SAW) filter (see e.g. Figs. 5 and 2) formed on the front surface of a chip substrate (see Figs. 2 and 6) comprising: a plurality of terminals 14a-14f extending out of the package (see Fig. 6) and into the package as pattern 52, wherein one of the terminals comprises an L-shaped portion (inside the box marked by the Examiner in Fig. 7), and wherein the back surface of the chip 9 (see Fig. 6) contacts the L-shaped portion. Regarding claim 29, the L-shaped terminal 14f is a ground terminal (see col. 7, Ins. 13-17), and all of the ground terminals 14a, 14c, 14d and 14f have L-shaped portions which are joined and integral with pattern 52. That is, pattern 52 is the part of the ground terminal inside the package. Regarding claim 30, the terminal comprising the L-shaped portion has a longitudinal portion that extends out of the package (see e.g. the input/output terminals 14b and 14e in Fig. 6 and col. 6, Ins. 29-32), and a lateral portion (52) extending into a central rectangular recess of the package to create a contact with the chip 9 (see Fig. 6).

Allowable Subject Matter

6. Claims 1-9, 11-28, 31 and 32 are allowable over the prior art of record.

7. The following is a statement of reasons for the indication of allowable subject matter:

The prior art of record does not disclose or fairly suggest a SAW filter device having each of the specifically recited features, and additionally especially wherein an "electric discharge preventing means... is realized by opposed portions of the interdigital transducers having non-sharp edges" (see claim 9, the last three lines thereof); or wherein the device includes a plastic package including a terminal member with a "lateral extending portion" or an "L-shaped portion" that is in contact with the "back surface of the chip substrate" (see claim 1, Ins. 3-6; claim 8, Ins. 3-7; claim 11, Ins. 3-7; and claim 21, the last three lines thereof).

Response to Arguments

8. Applicants' arguments with respect to claim 10 have been considered but are moot in view of the new ground(s) of rejection. Regarding the claim 10 arguments, it should be noted that claim 10 does not include all of the quoted limitations including "a plastic molding" with "a central rectangular recess" as argued by Applicants (see pg. 18, the third full paragraph of the amendment received 4/30/03). Has claim 10 been amended incorrectly?

9. Applicants' arguments regarding claims 1-8 are considered persuasive and the corresponding rejections have been withdrawn.

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barbara Summons whose telephone number is (703) 308-4947. The examiner can normally be reached on M-Th, M-Fr.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bob Pascal can be reached on (703) 308-4909. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9318 for regular communications and (703) 872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.



bs
July 15, 2003

Barbara Summons
Primary Examiner
Art Unit 2817